

MANIPUR GAZETTE



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CONTENTS

	Page (s)		Page (s)
Part I Appointments, Postings, Transfers Powers, Leave and other Personal Notices.	Nil	Part III Orders, Notifications and Rule of the Government of India.	Nil
Part II(A) Resolutions, Regulations, Orders, Notifications and Rules, etc.	155-159	Part IX Advertisements and Notices by the Government Offices.	29
Part II(B) Orders, Notifications and Rules of the High Courts.	Nil		

(Separate paging is given on each part in order that it may be filed as a separate compilation)

PART-II(A)

GOVERNMENT OF MANIPUR DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS (PERSONNEL DIVISION)

ORDERS BY THE GOVERNOR OF MANIPUR

Imphal, the 16th May, 2024

No.COURT-1/68/2023-DP-DP: Whereas the post of Director, Environment and Climate Change, Manipur was lying vacant since 01.02.2023 due to retirement of Dr. Y. Nabachandra Singh, Director of Environment and Climate Change on 31-01-2023;

2. Whereas the State Government was pleased to appoint Dr. T. Brajakumar Singh to hold the charge of Director (Environment & Climate Change) on in-charge basis vide Order No. APPT-9/1/2023-DP-DP dated 28.08.2023

3. Whereas the State Government in supersession of the earlier order dated 28.08.2023 was pleased to allow Dr. T. Brajakumar Singh to look after the charge of Director (Env. & Climate Change), Manipur subject to the outcome of W.P.(C) No. 289 of 2023 pending before the Hon'ble High Court of Manipur regarding inter-se seniority of the Joint Directors in the Directorate of Environment & Climate Change, Manipur vide an Order No. APPT-9/1/2023-DP-DP dated 29.08.2023.

4. Whereas Shri Phurailatpam Vivekananada Sharma filed two writ petitions being WP(C) No. 613 of 2023 and WP(C) No. 634 of 2024 before the Hon'ble High Court of Manipur challenging the orders appointing Dr. T. Brajakumar Singh as Director (Environment & Climate Change) on in-charge basis vide orders dated 28.08.2023 and 29.08.2023 respectively.

5. Whereas the Hon'ble High Court of Manipur was pleased to dispose the two writ petitions being WP(C) No. 613 of 2023 and WP(C) No. 634 of 2024 vide common Judgement & Order dated 15.12.2023 wherein the operating portion is reproduced herein below:

"In the circumstances, the writ petitions are allowed and impugned orders dated 28.08.2023 and 29.08.2023 are set aside. The State Respondents are directed to appoint the petitioner as in-charge Director (Env't. & CC), Manipur within a period of 15 days from the receipt of this judgment. No cost. Misc. applications, if any, are disposed of accordingly."

6. Whereas the State Government preferred two writ appeals being WA No. 114 of 2023 and WA No. 115 of 2023 before the High Court of Manipur against the Impugned common Judgement & Order dated 15.12.2023 which was similarly challenged by Dr. T. Brajakumar Singh in two writ appeals being WA No. 112 of 2023 and WA No. 113 of 2023.

7. Whereas the aforesaid writ appeals being WA No. 112 of 2023, WA No. 113 of 2023, WA No. 114 of 2023 and WA No. 115 of 2023 were disposed vide a Common Order dated 09.02.2024 directing as hereunder:

"In view of the foregoing, these connected appeals are disposed of whilst permitting the State Government to undertake the consideration for the appointment of in-charge Director (Environment & Climate Change), Manipur afresh in accordance with the aforesaid office memoranda dated 03.10.2020 and 09.03.2021 in accordance with law within a period of eight weeks from today without being bound by the tentative findings arrived at by the learned Single Judge in paragraph 29 of the impugned judgment & order dated 15.12.2023 as well as the direction issued consequently in paragraph 31 thereof.

However, liberty is reserved to the parties to approach this Court by way of an appropriate application in the event of any difficulty in implementing the directions contained herein.

Before parting with these matters, we make it clear that we have expressed no opinion on the merit of the appeals before us and the respective rights and contentions of the parties."

8. Whereas the State Government filed a Misc. Case being MC(WA) No. 32 of 2024 seeking for extension of time to implement the common order dated 09.02.2024 till the completion of the Parliamentary Election, 2024 or till the lifting of the Election Code of Conduct for the State of Manipur to meet the end of justice.

9. Whereas the Hon'ble High Court of Manipur was pleased to dispose the aforesaid Misc. Case being MC(WA) No. 32 of 2024 vide order dated 25.04.2024 which directed the State Government to comply with the directions issued by the High Court vide common order dated 09.02.2024 and to consider the appointment of in-charge Director (Environment & Climate Change), Manipur in accordance with office memoranda dated 03.10.2020 and 09.03.2021 respectively in accordance with law within a period of three weeks from today.

10. Whereas it has been informed from the Department of Forest, Env. & Climate Change, Government of Manipur vide their Letter No. CSFE-103/2/2024-FE-Dept (For & Env)-Part(1)/422 dated 16.04.2024 that seniority at the level of Joint Director has not been determined till date in the Directorate of Environment & Climate Change, Manipur.

11. Whereas vide the same Letter No. CSFE-103/2/2024-FE-Dept (For & Env)-Part(1)/422 dated 16.04.2024 a Report on 'Proven leadership qualities and administrative efficiency' for the officials to be considered for the post of Director on in-charge basis has been furnished from the Department of Forest, Env. & Climate Change, Government of Manipur accompanied by the ACRs of the officers holding the posts of Joint Directors, the details of the said letter reads as hereunder:

"The post of Director is a key post in a department. It sets the vision and long-term goals for development & upliftment of the Department which includes the strategy to achieve that vision as well as the monitoring of the strategy implementation. It plays a significant role in ensuring that the day-to-day management of the Department is consistently aligned with its overall vision. Experience, additional skills, knowledge & expertise do contribute a vital role in the performance of Director.

In respect of the Directorate of Environment & CC, Manipur, the post of Joint Director is a feeder post to the post of Director with 5(five) years regular service in the grade as its eligibility criteria. However, after retirement of the earlier incumbent on 31.01.2023 on attaining the age of superannuation, none in the feeder post has become eligible for the post of Director.

Under such a situation, the Hon'ble Minister (Forest, Env & CC) even recommended Dr. T. Brajakumar Singh, who is also the Nodal Officer and in-charge of CSS & NGT matters, to be considered for appointment as Director in-charge on stop gap arrangement w.e.f. 01.02.2023 until further order considering the technical experiences and functional efficiency. "

12. Whereas, the provisions of the O.M. No.23/20/2019-Misc(PHED)/DP dated 03.10.2020 reads as hereunder:

"4. Thus, with a view to bring uniformity, clarity and enforceable norms in making such in-charge appointments, the following norms are hereby issued for compliance by all concerned:

- i. Appointment on in-charge basis shall be made against a post only when there is no official eligible as per RR to fill up the said post, either by direct recruitment or promotion through duly constituted DPC.
- ii. In absence of any official eligible as per RR to fill up a particular post, the senior most person amongst cadre/officials belonging to the feeder post of the said particular post shall be appointed to hold the said post on in-charge basis, at no extra remuneration and in addition to the substantial post held by the appointee in the lower post. Needless to say, the appointee shall draw pay against the lower post substantially held by him."

13. Whereas further additional conditions have been provided especially in respect of Head of Departments (HoDs) as HoDs cannot be treated equally as other posts. Accordingly, the following OM's were issued:

- i. O.M. No. 23/20/2019-Misc(PHED)/DP dated 09.03.2021 which added Para 4(v) – “Integrity Certificate based on Vigilance Clearance, non-pendency of Departmental Enquiry, non-pendency of FIR cases which has been taken cognizance by Magistrate, etc. is mandatory for in-charge appointments, especially the Head of Departments.”
- ii. O.M. No. 23/20/2019-Misc(PHED)/DP dated 04.09.2023 which added the following at Para 4(ii) after the existing provision – “However, in the case of HoDs, if more than one person is holding the senior most feeder post, then the selection of the person to hold the posts shall be done from amongst these officers taking into regard proven leadership qualities and administrative efficiency, apart from the conditions at sub-para (v).”

14. Whereas the State Government was pleased to dispose the representation dated 19.06.2023 preferred by Shri Phurailatpam Vivekananda Sharma which sought for his consideration for the post of Director (Env. & Climate Change) Manipur on in-charge basis holding that it will be examined in the light of the common Judgment & Order dated 09.02.2024 vide Speaking Order No. COURT-1/161/2022-DP-DP dated 01.03.2024.

15. Whereas the State Government is of the considered opinion that Dr. T. Brajakumar Singh, Joint Director be appointed as Director (Env. & Climate Change) Manipur on in-charge basis having considered all the Office Memorandas issued by the Department of Personnel, Government of Manipur and inputs provided from the Department of Forest, Env. & Climate Change, Government of Manipur vide their Letter No. CSFE-103/2/2024-FE-Dept (For & Emt)-Part(1)/422 dated 16.04.2024.

16. NOW, THEREFORE, the Governor of Manipur, is pleased to appoint Dr. T. Brajakumar Singh, Joint Director to hold the charge of Director (Environment & Climate Change), Manipur on in-charge basis in his present grade pay in addition to his normal duties with immediate effect and until further orders in public interest in compliance of the Common Order dated 09.02.2024 passed in WA No. 112 of 2023, WA No. 113 of 2023, WA No. 114 of 2023 & WA No. 115 of 2023 and furthermore, in compliance of the order dated 25.04.2024 passed in MC(WA) No. 32 of 2024 by the Hon'ble High Court of Manipur.

By orders & in the name of Governor,

L. RADHAKANTA,
Joint Secretary (DP),
Government of Manipur.

GOVERNMENT OF MANIPUR
SECRETARIAT : EDUCATION (S) DEPARTMENT

ORDERS BY THE GOVERNOR : MANIPUR

Imphal, the 14th September, 2023

(Order No. 24 of 2023)

No. AS- 101/13/2022 – EDN(S)-EDN(S) Part(1) : Under Section 18 of the Right of Children to Free and Compulsory Education Act, 2009 and under the Manipur Non Government Schools and Colleges Recognition Rules, 1975, the Governor of Manipur is pleased to grant provisional **No Objection Certificate (NOC)** for opening of Class IX & X in respect of **Naga Public School, Koide Biisho Village, Maram, Purul Sub-Division, Senapati District, Manipur**, and for affiliation to the Board of Secondary Education, Manipur from the academic session of 2022 - 2023, subject to the condition that the school shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009, the Right of Children to Free and Compulsory Education Rules, 2010 and the Manipur Non-Government Schools and Colleges Recognition Rules, 1975 and rules and guidelines issued by Board of Secondary Education, Manipur.

Further, the school shall ensure that the provisional recognition is renewed on expiry of 2(two) years from the date of issue.

By Orders and in the name of Governor,

PURUJIT LAIRIKYENGBAM,
Under Secretary, (Education-S),
Government of Manipur.

PART-IX

**GOVERNMENT OF MANIPUR
OFFICE OF THE DEPUTY REGISTRAR OF SOCIETIES, SENAPATI**

NOTIFICATION
Senapati, 10th April, 2022

No. 1144/SR/SPT/2022. It is hereby notified for general information that pursuant to section 7 (1) (2) of the Manipur Societies Registration Act, 1989 (Manipur Act, 1 of 1990) the "Rapeina Educational Society" at Koide Biisho Village PO/BPO Maram of Senapati district, Manipur has been registered as No. 1144 of 2022 dated this day the 10th of April the year Two Thousand and Twenty Two Anno Domini.

S. THEKHO POU,
Deputy Registrar of Societies,
Senapati District.

**GOVERNMENT OF MANIPUR
OFFICE OF THE DEPUTY REGISTRAR OF SOCIETIES : (IMPHAL WEST)**

NOTIFICATION
Imphal, the 12th August, 2024

No.1925/SR/IW/2024: It is hereby notified for general information that pursuant to Section 7(1) of the Manipur Societies Registration Act, 1989 (Manipur Act 1 of 1990) **"Semgat Sagatpa Nupi Lup"** having its registered address at **Lamdeng Mayai Leikai, Imphal West District, Manipur, P.O. & P.S. Lamsang** has been registered and numbered as **No.1925/SR/IW/2024**, dated, the **12th August, 2024**.

KH. TARUNKUMAR SINGH,
Deputy Registrar of Societies,
Imphal West.